



## Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

**June 4, 2018**

**9:30**

**Calendar No. 18-110: 17008 Laverne Ave.**

**Ward 17**

**Martin J. Keane**

**13 Notices**

Daniel Hadlock, owner, proposes to construct a new front porch in an A1 One-Family Residential District. The owner appeals for relief from the strict application of Section 357.13(b)(4) of the Cleveland Codified Ordinances which states that front yard, open porticos or porches shall not project more than 6 feet. The proposed porch measures approximately 8'-8". (Filed May 7, 2018)

**9:30**

**Calendar No. 18-112: 1325 W. 69 Street**

**Ward 15**

**Matt Zone**

**14 Notices**

Denny Matheou, owner, proposes to build a 1 ½ story 28' x 34' wood frame garage with second floor storage on a 3,720 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 353.05 which states that in Residence Districts an accessory building shall not exceed 15 feet in height, or the distance of the accessory building to a main building or potential location of a main building on adjoining premises in a Residential District, whichever is less. The proposed garage height is 20 feet.
2. Section 337.23(a)(6)(A) which states that in a Dwelling House District the floor area of a private garage erected as an accessory building shall not exceed 650 square feet unless the lot area exceeds 4,800 square feet in which event the floor area may be increased in the ratio of 1 square foot for each 12 square feet of additional lot area. 650 square feet are permitted and 1,904 square feet are proposed
3. Section 337.23(a) which states that an accessory building shall be located a minimum of 18" from all property lines and at least ten feet from any main building on an adjoining lot. A zero lot line is proposed and the main building on adjoining lot is within 5 feet.
4. Section 337.23 which states that accessory use is not permitted on a vacant lot as the primary (main) use. (Filed May 10, 2018)

**9:30**

**Calendar No. 18-113: 2345 East 83 Street**

**Ward 6**

**Blaine A. Griffin**

**28 Notices**

Catholic Diocese of Cleveland, owner, and Saint Adalbert's Catholic School, propose to erect a new Pre-K through first grade, 12,800 square foot school building, including play areas and a 27 space parking lot on a parcel that is zoned B2 Two-Family Residential District and Multi-Family Residential

District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.02(f)(3)(A) which states that in residential districts, a school and its accessory buildings and uses are permitted if approved by the Board of Zoning Appeals after public notice and public hearing., and if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgment of the Board such buildings and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood.
2. Section 337.05(f)(3)(A) which states that a public or private school must be located not less than thirty feet from any adjoining premises in a Residence District; the proposed new school building and accessory playground is approximately 10 to 14 feet from adjoining premises in Residence District.
3. Section 357.14 which states that parking is not a permitted encroachment in the required front yard area on East 83<sup>rd</sup> St.
4. Section 341.02 which states that Landmark Commission review and approval is required.  
(Filed May 14, 2018)

**9:30**

**Calendar No. 18-114: 3057 Payne Ave.**

**Ward 7  
Basheer S. Jones  
22 Notices**

Med Wish, owner, proposes to construct a parking lot in a C4 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 352.10 which states that a 6 foot wide landscape strip is required along Payne Avenue and E. 31<sup>st</sup> Street where parking lot abuts the street and a 3 foot 2 inch strip is proposed along E. 31 St.
2. Section 352.09 which states that a 6 foot wide medium transition strip is required along the westerly edge of the lot where it abuts a Multi-Family Residential District.
3. Section 349.15 which states that one bicycle parking space is required and none are proposed.  
(Filed May 16, 2018)

**POSTPONED FROM MAY 14, 2018**

**9:30**

**Calendar No. 18-91: 13701 Kinsman Rd.**

**Ward 4  
Kenneth L. Johnson  
14 Notices**

Maranatha Bible College, owner, proposes to install an illuminated ID wall sign in a B1 Residence Office District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 350.13 which states that a maximum of one 40 square foot sign per vehicle entrance is permitted and one 320 square foot sign is proposed.
2. Section 350.13(g) which states that electronic display sign for community facility in a Residence District requires BZA approval. (Filed April 19, 2018-No Testimony)FIRST POSTPONEMENT MADE AT THE REQUEST OF CITY PLANNING TO ALLOW FOR TIME FOR DESIGN REVIEW.

**POSTPONED FROM MAY 21, 2018**

**9:30**

**Calendar No. 18-85:**

**Appeal from Assessments and  
Licenses Denial of Mobile Food Shop  
location/RLUMF18-00009**

**Ward 3**

**Kerry McCormack**

Khaled Alnazer appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of Cleveland City Councilperson Kerry McCormack and the Division of Assessments and Licenses to deny the Mobile Food Shop location application #RLUMF18-00009 at 1198 Old River Road on April 11, 2018 (Filed April 12, 2018-No Testimony). *SECOND POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR TIME TO RESPOND TO CITY'S DISCOVERY DOCUMENT. FIRST POSTPONEMENT MADE AT THE REQUEST OF THE CITY OF CLEVELAND FOR TIME TO COMPILE DISCOVERY.*

**POSTPONED FROM MAY 21, 2018**

**9:30**

**Calendar No. 18-96:**

**3632 Bailey Avenue**

**Ward 3**

**Kerry McCormack**

**12 Notice**

The Cuyahoga County Land Bank, owner, and Civic Builders propose construct a new 2 story, 2,414 single family house with a detached garage on a 3,750 square foot lot in a B1 Two Family Residential District. The appellant appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet and the proposed lot area is 3,750 square feet.
2. Section 355.04(a) which states that the minimum lot width for a single family dwelling in a "B" Area District is 40 feet and 37'-6" are proposed.
3. Section 357.09(b)(2)(B) which states that in a Two-Family District no interior side yard, and except as provided in subsection (b)(1) hereof, in any use district no interior side yard on a lot occupied by a dwelling house shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. The required side yard is approximately 6'-9".
4. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit.(Filed April 24, 2018-Testimony Taken)

**9:30**

**Calendar No. 18-98:**

**3636 Bailey Avenue**

**Ward 3**

**Kerry McCormack**

**12 Notices**

The Cuyahoga County Land Bank, owner, and Civic Builders propose construct a new 2 story, 2,414 single family house with a detached garage on a 3,750 square foot lot in a B1 Two Family Residential District. The appellant appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

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2. Section 355.04(a) which states that the minimum lot width for a single family dwelling in a "B" Area District is 40 feet and 37'-6" are proposed.
3. Section 357.09(b)(2)(B) which states that in a Two-Family District no interior side yard, and except as provided in subsection (b)(1) hereof, in any use district no interior side yard on a lot occupied by a dwelling house shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. The required side yard is approximately 6'-9".
4. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit.(Filed April 24, 2018-Testimony Taken) *POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW FOR TIME FOR CLARIFICATION ON THE NOTICE OF NONCONFORMANCE.*